

HOUSE BILL No. 1538

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-6-11-1; IC 9-13-2; IC 14-16-1-3.

Synopsis: Amphibious vehicles. Excludes from imposition of the boat tax a device functional on both land and water only when bolted to a pontoon. Excludes from the definitions of motorboat and watercraft amphibious devices functional on both land and water only when bolted to a pontoon. Defines "vehicle" to exclude a device functional on both land and water only when bolted to a pontoon. Excludes from the definition of "off-road vehicle" amphibious machines not required to be registered by the bureau of motor vehicles.

Effective: July 1, 1999.

Kruse

January 19, 1999, read first time and referred to Committee on Roads and Transportation.

C
o
p
y



First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1538

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-6-11-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "boat"
3 means any device in which a person may be transported upon water and
4 includes every motorboat, sailboat, pontoon boat, rowboat, skiff,
5 dinghy, or canoe, regardless of size. **However, the term does not**
6 **include a device that is functional on both land and water only**
7 **when bolted to a pontoon and that is not subject to the following:**

8 (1) Annual license excise tax required by IC 6-6-5-2.

9 (2) Use tax required by IC 6-2.5-3-2.

10 (3) Use tax required by IC 6-2.5-3-6.

11 SECTION 2. IC 9-13-2-103.5 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 103.5. (a) "Motorboat"
13 means a watercraft propelled by an internal combustion, steam, or
14 electrical inboard or outboard motor or engine or by any mechanical
15 means.

16 (b) The term includes a sailboat that is equipped with a motor or an
17 engine described in subsection (a) when the sailboat is in operation



whether or not the sails are hoisted.

(c) The term does not include an amphibious device functional on both land and water only when bolted to a pontoon.

SECTION 3. IC 9-13-2-196 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

- (1) A device moved by human power.
- (2) A vehicle that runs only on rails or tracks.
- (3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.
- (4) A fire truck and apparatus owned by a person or municipal division of the state and used for fire protection.
- (5) A municipally owned ambulance.
- (6) A police patrol wagon.
- (7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:
 - (A) Road construction or maintenance machinery.
 - (B) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.
 - (C) Construction dust control machinery.
 - (D) Well boring apparatus.
 - (E) Ditchdigging apparatus.
 - (F) An implement of husbandry.
 - (G) An invalid chair.
 - (H) A yard tractor.

(8) A device that is functional on both land and water only when bolted to a pontoon.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, or a motorized bicycle.

(e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air.

SECTION 4. IC 9-13-2-198.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 198.5. "Watercraft"



C
O
P
Y

means a contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, sailboat, vessel operated by machinery either permanently or temporarily affixed, scow, tugboat, or any marine equipment that is capable of carrying passengers, except a ferry **or an amphibious device that is functional on both land and water only when bolted to a pontoon.**

SECTION 5. IC 14-16-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) As used in this chapter, "off-road vehicle" means a motor driven vehicle capable of cross country travel:

(1) without benefit of a road or trail; and

(2) on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

(b) The term includes the following:

(1) A multi-wheel drive or low pressure tire vehicle.

(2) An amphibious machine, **except one that is not required to be registered under subsection (c)(6).**

(3) A ground effect air cushion vehicle.

(4) Other means of transportation deriving motive power from a source other than muscle or wind.

(c) The term does not include the following:

(1) A farm vehicle being used for farming.

(2) A vehicle used for military or law enforcement purposes.

(3) A construction, mining, or other industrial related vehicle used in performance of the vehicle's common function.

(4) A snowmobile.

(5) A registered aircraft.

(6) Any other vehicle properly registered by the bureau of motor vehicles.

(7) Any watercraft that is registered under Indiana statutes.

(8) A golf cart vehicle.

C
O
P
Y

